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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,762	06/07/2001	Anthony Davies	72167.000254	8882
21967	7590	09/14/2006	EXAMINER	
HUNTON & WILLIAMS LLP INTELLECTUAL PROPERTY DEPARTMENT 1900 K STREET, N.W. SUITE 1200 WASHINGTON, DC 20006-1109			PATEL, JAGDISH	
		ART UNIT	PAPER NUMBER	
			3693	
DATE MAILED: 09/14/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/876,762	DAVIES ET AL.
Examiner	Art Unit	
JAGDISH PATEL	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 07 June 2001.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-43 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-43 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 07 June 2001 is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date .
4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. ____ .
5) Notice of Informal Patent Application
6) Other: ____ .

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it is too long (contains more than 150 words). Correction is required. See MPEP § 608.01(b).

Drawings

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because certain details of the drawings are not legible. For example, Figures 2-4 contain shaded portions, which obscures the details presented therein. In Figure 4 certain “pointers” (three digit identifiers which show details of the drawings) are not legible. The corrected drawings should show all details clearly and should not contain dark shaded portions, which obscure any critical part of the drawings.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1-43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4.1 Claim 1 fails to properly link individual steps of the process recited in the method claim as enumerated below.

The process step of **displaying deposit terms** does not relate to the process step of **providing a computer enabled interface to a public network**. Likewise, allowing the customer to generate a deposit request does not relate to the displaying deposit terms.

Note that this analysis also applied to system claim 24.

4.2 Claims recites process steps which are mere intention or permission to perform the underlying act. For example, “allowing the customer to generate a deposit request...”, “requiring the customer to accept the modified deposit request..” etc. Merely allowing a customer to perform certain act does not necessarily cause the act to be carried out. In this regard, the phrase “allowing” in the process step renders the claimed step indefinite because one cannot ascertain that the act is indeed be carried out. It is suggested that the claimed step be changed to read, for instance,

“generating by the customer a deposit request including...”

This is only exemplary analysis and is also applicable to other such occurrences of the defective claim limitations throughout all presented claims.

4.3 Claim(s) rendered indefinite due to “conditional” statement

As an example, claim 1 recites process step “automatically executing the received deposit request *if* the specific rate *is* a live rate” which raises the question of what direction the process takes if the *if* condition is not satisfied, i.e. the specific rate *is not* a live rate. Therefore, the inclusion of conditional statements which only show a process resulting from a positive outcome (i.e. only when the *if* condition is “true”) but does not show the process in the alternate (or negative or “false”) outcome, causes the claim to be indefinite.

For instant, one cannot ascertain, what the happens if the specific rate *is not* a live rate.

4.4 Claim 1 recites the process step “displaying a modified deposit request to the customer”. Does the “modified deposit request” displayed to the customer” in any way relate to the “automatically executing the received deposit request”? In the present the present form of the claim, the modified deposit request has no relation to the (automatically) executed deposit request received which is received and which in turn is generated by the customer. There is lack of clarity in this regard and appropriate correction is required to address this defect.

4.5 the process step of “requiring the customer to accept” is indefinite because it is not positively recited such as “accepting by the customer the modified deposit request..”.

4.6 the claim is also indefinite because the claim, while is directed to conducting banking deposit transactions, there is no recitation of the amount of the deposit specified in the deposit request and other appropriate process steps. The process of executing the deposit request must require a monetary amount to be deposited and the source of the amount. The claim(s) on this basis is vague and unclear. In responding to this deficiency please indicate how this feature is enabled by the specification.

It is noted that while, claim 1 has been discussed for exemplary analysis, all dependent claims and system claims must be reviewed for similar defects and appropriate correction be made as deemed appropriate to resolve the issues identified above.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748. The examiner can normally be reached on **800AM-630PM Mon-Tue and Thu.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammel can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 517-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jagdish N. Patel

(Primary Examiner, AU 3693)

9/11/06